

## **REMARKS**

### **Status of the Claims**

- Claims 1-11, 13-17, 19-28, 30-37, and 39-45 are pending in the Application after entry of this amendment.
- Claims 8-19, 26-31, and 35-45 were elected for examination whereas Claims 1-7, 20-25, and 32-34 are withdrawn from consideration.
- Claims 8-19, 26-31, and 35-45 are rejected by Examiner.
- Claims 8, 15, 26-28, 30-31, 35, and 41 are amended by Applicant.
- Claims 12, 18, 29, and 38 are cancelled.

### **Telephone Interview**

Applicant's representative thanks the Examiner for granting the telephone interview held on October 22, 2007. During that interview, Applicant's representative described aspects of the invention with respect to Figures 2 and 10 of the as-filed specification and distinguished the amended claims from the cited reference. The Examiner graciously agreed to review the amendments and reconsider the claims in light of the amendments and arguments.

### **Claim Rejections Pursuant to 35 U.S.C. §101**

Claims 26-31 stand rejected under 35 U.S.C §101 because they are directed to non-statutory subject matter. Specifically, the claims, as presented, lack a tangible medium.

Applicant amends Claims 26-31 to recite computer readable *storage* medium which is statutory subject matter because it is an article of manufacture. Applicant finds support for the tangibility of computer-readable storage media in paragraph 0053 of the as-filed specification. Applicant respectfully requests withdrawal of the 35 U.S.C §101 rejection in light of the amendment to Claims 26-31.

**Claim Rejections Pursuant to 35 U.S.C. §102(a)**

Claims 8-19, 26-31, and 35-45 stand rejected pursuant to 35 U.S.C. §102 (a) as being unpatentable over U.S. Patent No. 6,609,200 to Anderson et al. (Anderson). Applicant respectfully traverses the rejection.

Anderson teaches "...a method and system for processing electronic documents. The electronic documents have a predefined structure that is both human readable and computer readable. In an embodiment of the [Anderson] invention, the electronic documents may be financial electronic documents. As an example, one type of financial electronic document is an electronic check. Other examples include loan applications, medical records, contracts and other documents that are signed or certified. Further examples include notarized documents, medical prescriptions, transcripts, wills and trusts, and the like. Any of these documents may be formatted as a document type definition in FSML." (Anderson, col. 18, lines 25-37).

Applicant amends independent Claim 8 to recite that the user obtains the identities of the transaction participants as well as the cryptographic information of the transaction participants as a result of a user request. Applicant finds support in Figure 2 and supporting paragraphs 0014-0017 of the as-filed specification. Claim 8 is also amended to indicate that the act of dividing the information into segments is also performed by the user. Additionally, the user places only a relevant portion of the information which is needed by a particular transaction participant into a segment. Support for this amendment is found in paragraphs 0007-0009. Claim 8 is also amended to include subject matter from now cancelled Claim 12. Although different in scope, independent Claims 15, 26, 35, and 41 are likewise amended. Also, the subject matter of now-cancelled dependent Claims 18, 29, and 38 is now included in the respective independent claims.

Addressing the present rejection, Pages 3-4 of the Office Action dated 8/13/07 states that Anderson, at column 20, lines 54-67, indicates that a document is divided into new and original information. Applicant respectfully disagrees. Anderson, at col. 20, lines 54-61 states:

"In situations in which the FSML electronic document is to pass through various steps and institutions that are part of an entire system that processes the electronic document and *perhaps adds new information to the document, a document combining mechanism is described* that allows the additional information to be added while allowing the original

information to be protected and verified using digital signatures.” (Anderson, col. 20, lines 54-61).

Applicant respectfully submits that adding new information to an already existing FSML document using a document combining mechanism is not an equivalent to the act of “dividing, by a user, the information into segments” as recited in amended Claim 8. Adding additional information to an already existing document is generally considered the antithesis of dividing into segments. Applicant submits that the above citation of Anderson cannot teach “dividing, by a user, the information into segments” by discussing a single FSML document into which new information is added using a combining mechanism.

Anderson, with reference to Figure 35 at col. 20 lines 32-47, describes the use of hash functions to for blocks of data. However, the amended independent claims indicate that individual cryptographic information identifying a particular transaction participant is used along with only a relevant portion of the information which is needed by a particular transaction participant is placed into a segment. Applicant submits that Anderson fails to teach “placing only a relevant portion of the information which is needed by a particular transaction participant into a segment” as recited in amended Claim 8.

Since Anderson fails to disclose all of the elements of amended independent Claim 8, then Anderson cannot anticipate amended Claim 8 and its respective dependent claims because Anderson fails to disclose all elements in the amended independent claims. For similar reasons, Anderson cannot anticipate amended independent Claims 15, 26, 35, and 41 and their dependent claims. Applicant respectfully requests withdrawal of the 35 U.S.C §102(a) rejection of the pending claims because these claims patentably define over the cited art.

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**PATENT**

**Conclusion**

In light of the amendments and discussion above, Applicant respectfully requests withdrawal of the rejections and reconsideration of all pending claims as they patentably define over the cited art.

Respectfully Submitted,

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/Jerome G. Schaefer/

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